

# MANDATE

S.D.N.Y. – N.Y.C.  
16-cv-2362  
Abrams, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 26<sup>th</sup> day of April, two thousand nineteen.

Present:

Amalya L. Kearse,  
Rosemary S. Pooler,  
Richard C. Wesley,  
*Circuit Judges.*

USDC SDNY  
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In Re: Wilfredo Torres,  
*Petitioner.*

----- 19-395

Wilfredo Torres,  
*Petitioner,*  
v.

Bellevue South Associates LLP, et al.,

*Respondents.*

Petitioner, pro se, has filed a petition for a writ of mandamus seeking the removal of the judge presiding over his district court proceedings. Additionally, Petitioner moves for leave to proceed in forma pauperis. Upon due consideration, it is hereby ORDERED that the motion for leave to proceed in forma pauperis is GRANTED for the purpose of filing the mandamus petition. It is further ORDERED that the mandamus petition is DENIED because Petitioner has not demonstrated that he lacks an adequate, alternative means of obtaining relief, that his right to the writ is clear and indisputable, or that granting the writ is appropriate under the circumstances. *See Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004).

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

*Catherine O'Hagan Wolfe*



*Catherine O'Hagan Wolfe*

MANDATE ISSUED ON 06/20/2019